

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON**

SEAN NALLE,

Plaintiff,

v.

CIVIL ACTION NO. 2:24-cv-00255

WEST VIRGINIA DIVISION OF
CORRECTIONS AND
REHABILITATION and
CORRECTIONAL OFFICER
SPAULDING,

Defendants.

ORDER REMOVING CASE FROM DOCKET

The Court has been advised of the settlement of this action by counsel for all parties.

Accordingly, the Court **ORDERS** as follows:

1. The remaining requirements of the scheduling order are continued pending further order of the Court;
2. The action is retired to the inactive docket. The parties may, within thirty (30) days after entry of this Order, submit a stipulation of dismissal. In the event a stipulation of dismissal is not received within the prescribed period, the case is **DISMISSED** without prejudice without the necessity of a further order;¹ and

¹ In accordance with Rule 41(a)(1)(A)(ii), the referenced stipulation will effect dismissal “without a court order” so long as the stipulation is “signed by all parties who have appeared” in the action. Accordingly, when counsel file a non-compliant “Proposed Dismissal Order,” “Stipulation and Order of Dismissal,” a “Stipulation of Dismissal” or similar fugitive document with a signature block for the undersigned, they should expect it to be disregarded and not inquire further of Chambers respecting when the document will be signed. The compliant stipulation achieves the dismissal of the case pursuant to Rule 41(a)(1)(A)(ii).

3. The Court may, for good cause shown, reinstate the action to the active docket upon request of any party filed within the thirty (30) day period.

The Clerk is **DIRECTED** to transmit copies of this written opinion and Order to all counsel of record and any unrepresented parties.

ENTER: April 30, 2025



A handwritten signature in black ink that reads "Frank W. Volk". The signature is written in a cursive, flowing style.

Frank W. Volk
Chief United States District Judge